IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 20TH JULY 2006 / 29TH ASHADHA,1928

Bail Appl..No. 4347 of 2006

CC.45/2006 of J.M.F.C.,ALATHUR
(CRIME NO.72/2001 OF VADAKKANCHERRY POLICE STATION)

.....

PETITONER/ACCUSED NO.1

SAJEEVAN P.T.,PANDATH HOUSE,
CHIRAKKACODE, VELLANIKARA,THRISSUR.

BY ADV. SRI.C.HARIKUMAR
SRI.VIZZY GEORGE KOKKAT
SRI.ARAVINDA KUMAR BABU T.K.
SRI.RAVIDASAN.N.S.

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
REPRESEINTING S.I. OF POLICE,
VADAKKANCHERRY POLICE STATION.

BY PUBLIC PROSECUTOR P.M. HABEEB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.4347/2006

DATED THIS THE 17TH DAY OF JULY, 2006

O R D E R

The petitioner is the first accused, in C.C.No.45/2006 on the file of the Judicial Magistrate of First Class, Alathur, which is basing on crime No.72/2001 of Vadakkancherry Police Station, and the petitioner, though had appeared before the Court on 6.3.2004, but absconded thereafter. A non bailable warrant was issued against him, by the Court below. Hence the petitioner is before this Court, under Section 438 Cr.P.C.

2. The learned Public Prosecutor submitted that the petitioner had absconded, after 6.3.2004. The submission of the counsel is that the address shown in the final report by the police, is incorrect and therefore, not even a summons was received by the petitioner.

3. After considering the submissions of either side, I direct the petitioner to appear before the Judicial

Magistrate of First Class, Alathur, and the learned Magistrate shall allow him to be on bail, and proceed with the matter, according to the law.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs